

20.10. COMMERCIAL LAND USE DISTRICTS**20.10.05. Community Service Districts: CS**

1. **Purpose.** The Community Service or "CS" District is intended to provide for businesses compatible with and of similar scale to existing commercial activity found principally along Beaverton-Hillsdale Highway, Canyon Road, T.V. Highway, Cedar Hills Boulevard, Sunset Highway and Highway 217. [ORD 3975, February 1997]

2. **District Standards and Uses.** CS Districts and uses shall comply with the following:

A. Permitted Uses:

Unless otherwise prohibited or subject to a conditional use, the following uses and their accessory uses are permitted:

1. Retail trade.
2. Services: e.g., personal; business; professional; amusement and recreation; educational (including public and private); equipment rental; and other similar services as determined by the Director. When an interpretation is discretionary, notice shall be provided in accordance with Section 50.40. (ORD 3739)
3. Churches; social or fraternal organizations.
4. Parks and playgrounds.
5. Detached dwellings. [ORD 4224; August 2002]
6. Attached dwellings. [ORD 4224; August 2002]
7. Eating or drinking establishments.
8. Financial institutions.
9. Automotive services, Minor.
10. Residential Care Facilities. [ORD 4036; March 1999]

20.10.05.2.A.

11. Accessory Dwelling Units (See also Special Use Regulations Section, Accessory Dwelling Units, 60.50.03). [ORD 4048; June 1999]
12. Collocation of wireless communication facilities on an existing wireless communication facility tower [ORD 4248; April 2003]
13. Installation of wireless communication facilities on streetlights, excluding streetlights on power poles, traffic signal lights, and high voltage power utility poles within public road rights-of-way [ORD 4248; April 2003]
14. Attachment or incorporation of wireless communication facilities to existing or new buildings or structures that are not exclusively used for single-family residential or multi-family residential purposes [ORD 4248; April 2003]
15. Temporary wireless communication facilities structures (See also Temporary Structures – Section 40.80) [ORD 4248; April 2003]
16. Installation of one (1) replacement wireless communication facility tower on a parent parcel containing an existing tower supporting one (1) carrier for the purpose of providing collocation opportunity consistent with previous land use approvals [ORD 4248; April 2003]
17. Up to and including two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]

B. Conditional Uses: (Subject to Section 40.15 or Section 40.96 as applicable)

The following uses and their accessory uses may be permitted subject to the approval of a Conditional Use (CU):

1. [ORD 3969, December 1996] Hotels and extended stay hotels which are located on a lot or parcel adjoining U.S. Highway 26, Canyon Road, Tualatin Valley Highway or Oregon State Highway 217, subject to the following:

20.10.05.2.B.1.

- a. It shall be located on the portion of the lot immediately adjoining the highway.
 - b. Signage is allowed as per Section 60.40.35.3 of this code. However, only one freestanding sign, up to 32 square feet per face, 64 square feet for all four faces combined or one wall sign up to 64 square feet may orient toward an abutting arterial or regional traffic route.
 - c. Signage shall not be allowed for auxiliary uses such as restaurants, meeting rooms, etc.
 - d. Auxiliary uses such as restaurants and meeting rooms shall be designed to meet the needs of the guests of the facility and not the general public.
2. Automotive services, Major.
 3. Uses operating between 10:00 p.m. and 7:00a.m. [ORD 4071; October 1999]
 4. Construction of a wireless communication facility tower [ORD 4248; April 2003]
 5. More than two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]
 6. Direct-to-home satellite service having antennas greater than one (1) meter in diameter [ORD 4248; April 2003]

C. Prohibited Uses:

1. Mobile home parks and subdivisions. (ORD 3739)
2. Attachment of a wireless communication facility to existing or new non-residential buildings that does not utilize stealth design [ORD 4248; April 2003]

20.10.05.2.

D. Use Restrictions:

Uses shall be subject to the following (excludes parks and playgrounds): (ORD 3352)

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for day care and school facilities and as allowed in item 2., below. (ORD 3352)
2. Accessory open air sales/display/storage shall constitute no more than 5% of the gross building floor area of any individual establishment.

E. District Requirements:

1. There is no Minimum Area for a new Zoning District.
2. There is no Maximum Area for a new Zoning District.

[ORD 3975, February 1997]

20.10.10. Convenience Service Districts: CV

1. **Purpose.** The Convenience Service Centers or "CV" District is intended for the development of small convenience and service facilities.
2. **District Standards and Uses.** CV Districts and uses shall comply with the following:

A. Permitted Uses:

Unless otherwise prohibited or subject to a conditional use, the following uses and their accessory uses are permitted:

1. Retail trade.
2. Services: e.g., personal; business; professional; amusement and recreation; educational (including public and private); equipment rental; and other similar services as determined by the Director. When an interpretation is discretionary, notice shall be provided in accordance with Section 50.40. (ORD 3739)
3. Churches; social or fraternal organizations.
4. Financial institutions.
5. Collocation of wireless communication facilities on an existing wireless communication facility tower [ORD 4248; April 2003]
6. Installation of wireless communication facilities on streetlights, excluding streetlights on power poles, traffic signal lights, and high voltage power utility poles within public road rights-of-way [ORD 4248; April 2003]
7. Attachment or incorporation of wireless communication facilities to existing or new buildings or structures that are not exclusively used for single-family residential or multi-family residential purposes [ORD 4248; April 2003]
8. Temporary wireless communication facilities structures (See also Temporary Structures – Section 40.80) [ORD 4248; April 2003]

20.10.10.2.A.

9. Installation of one (1) replacement wireless communication facility tower on a parent parcel containing an existing tower supporting one (1) carrier for the purpose of providing collocation opportunity consistent with previous land use approvals [ORD 4248; April 2003]
10. Up to and including two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]

B. Conditional Uses: (Subject to Section 40.15 or Section 40.96 as applicable)

The following uses and their accessory uses may be permitted subject to the approval of a Conditional Use (CU):

1. Automotive services, Minor.
2. Uses operating between 10:00 p.m. and 7:00 a.m.
3. Construction of a wireless communication facility tower.
4. More than two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]
5. Direct-to-home satellite service having antennas greater than one (1) meter in diameter [ORD 4248; April 2003]

C. Prohibited Uses:

1. Auto, boat and other motor vehicles sales; trailer or mobile home sales/rentals.
2. Mobile home parks and subdivisions. (ORD 3739)
3. Eating or drinking establishments.
4. Temporary living quarters.
5. Automotive services, Major.

20.10.10.2.C.

6. Attachment of a wireless communication facility to existing or new non-residential buildings that does not utilize stealth design [ORD 4248; April 2003]

D. Use Restrictions:

Uses shall be subject to the following (excludes parks and playgrounds): (ORD 3352)

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for day care and school facilities and as allowed in item 2., below. (ORD 3352)
2. Accessory open air sales/display/storage shall constitute no more than 5% of the gross building floor area of any individual establishment.

E. District Requirements:

1. The Minimum Area for a New Zoning District is 1/4 Acre.
2. The Maximum Area for a New Zoning District is 1/2 Acre.
3. CV Districts shall be spaced at least one-half mile from another CV commercial district. [ORD 4071; October 1999]

[ORD 3975, February 1997]

20.10.15. General Commercial Districts: GC

1. **Purpose.** The General Commercial or "GC" District is intended to provide an area for businesses that require extensive outdoor storage and/or display of merchandise, equipment or inventory.
2. **District Standards and Uses.** GC Districts and uses shall comply with the following:

A. Permitted Uses:

Unless otherwise prohibited or subject to a conditional use, the following uses and their accessory uses are permitted:

1. Retail trade.
2. Services: e.g., personal; business; professional; amusement and recreation; educational (including public and private); equipment rental; and other similar services as determined by the Director. When an interpretation is discretionary, notice shall be provided in accordance with Section 50.40. (ORD 3739)
3. Churches; social or fraternal organizations.
4. Parks and playgrounds.
5. Detached dwellings. [ORD 4224; August 2002]
6. Attached dwellings. [ORD 4224; August 2002]
7. Eating or drinking establishments.
8. Temporary living quarters.
9. Financial institutions.
10. Automotive services, Minor.
11. Residential Care Facilities. [ORD 4036; March 1999]
12. Accessory Dwelling Units (See also Special Use Regulations Section, Accessory Dwelling Units, 60.50.03). [ORD 4048; June 1999]

20.10.15.2.

13. Vehicle Sales, Lease or Rental. [ORD 4071; October 1999]
[ORD 4224; August 2002]
14. Collocation of wireless communication facilities on an existing wireless communication facility tower [ORD 4248; April 2003]
15. Installation of wireless communication facilities on streetlights, excluding streetlights on power poles, traffic signal lights, and high voltage power utility poles within public road rights-of-way [ORD 4248; April 2003]
16. Attachment or incorporation of wireless communication facilities to existing or new buildings or structures that are not exclusively used for single-family residential or multi-family residential purposes [ORD 4248; April 2003]
17. Temporary wireless communication facilities structures (See also Temporary Structures – Section 40.80) [ORD 4248; April 2003]
18. Installation of one (1) replacement wireless communication facility tower on a parent parcel containing an existing tower supporting one (1) carrier for the purpose of providing collocation opportunity consistent with previous land use approvals [ORD 4248; April 2003]
19. Up to and including two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]

B. Conditional Uses: (Subject to Section 40.15 or Section 40.96 as applicable)

The following uses and their accessory uses may be permitted subject to the approval of a Conditional Use (CU):

1. Automotive services, Major.
2. Uses operating between 10:00 p.m. and 7:00 a.m. and abutting a residential zone. [ORD 4071; October 1999]

20.10.15.2.

3. Construction of a wireless communication facility tower [ORD 4248; April 2003]
4. More than two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]
5. Direct-to-home satellite service having antennas greater than one (1) meter in diameter [ORD 4248; April 2003]

C. Prohibited Uses:

1. Mobile home parks and subdivisions. (ORD 3739)
2. Attachment of a wireless communication facility to existing or new non-residential buildings that does not utilize stealth design [ORD 4248; April 2003]

D. Use Restrictions:

None identified for these uses.

E. District Requirements:

1. There is no Minimum Area for a new Zoning District.
2. There is no Maximum Area for a new Zoning District.

[ORD 3975, February 1997]

20.10.20. Neighborhood Service Center Districts: NS

1. **Purpose.** The Neighborhood Service Centers or "NS" District is intended to provide areas that will meet the frequent needs of nearby residents. [ORD 3975, February 1997]
2. **District Standards and Uses.** NS Districts and uses shall comply with the following:

A. Permitted Uses:

Unless otherwise prohibited or subject to a conditional use, the following uses and their accessory uses are permitted:

1. Retail trade.
2. Services: e.g., personal; business; professional; amusement and recreation; educational (including public and private); equipment rental; and other similar services as determined by the Director. When an interpretation is discretionary, notice shall be provided in accordance with Section 50.40. (ORD 3739)
3. Churches; social or fraternal organizations.
4. Eating or drinking establishments.
5. Financial institutions.
6. Collocation of wireless communication facilities on an existing wireless communication facility tower [ORD 4248; April 2003]
7. Installation of wireless communication facilities on streetlights, excluding streetlights on power poles, and traffic signal lights, and high voltage power utility poles within public road rights-of-way [ORD 4248; April 2003]
8. Attachment or incorporation of wireless communication facilities to existing or new buildings or structures that are not exclusively used for single-family residential or multi-family residential purposes [ORD 4248; April 2003]

20.10.20.2

9. Temporary wireless communication facilities structures (See also Temporary Structures – Section 40.80) [ORD 4248; April 2003]
10. Installation of one (1) replacement wireless communication facility tower on a parent parcel containing an existing tower supporting one (1) carrier for the purpose of providing collocation opportunity consistent with previous land use approvals [ORD 4248; April 2003]
11. Up to and including two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]

B. Conditional Uses: (Subject to Section 40.15 or Section 40.96 as applicable)

The following uses and their accessory uses may be permitted subject to the approval of a Conditional Use (CU):

1. Automotive services, Major.
2. Automotive services, Minor.
3. Uses operating between 10:00 p.m. and 7:00 a.m. [ORD 4071; October 1999]
4. Construction of a wireless communication facility tower meeting or exceeding the maximum height of the underlying zoning district [ORD 4248; April 2003]
5. More than two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]
6. Direct-to-home satellite service having antennas greater than one (1) meter in diameter [ORD 4248; April 2003]

C. Prohibited Uses:

1. Auto, boat, motorcycles, and other motor vehicle sales; trailer or mobile home sales/rentals. (ORD 3739)

20.10.20.2.C.

2. Mobile home parks and subdivisions. (ORD 3739)
3. Attachment of a wireless communication facility to existing or new non-residential buildings that does not utilize stealth design [ORD 4248; April 2003]

D. Use Restrictions:

Uses shall be subject to the following (excludes parks and playgrounds): (ORD 3352)

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for day care and school facilities and as allowed in item 3., below. (ORD 3352)
2. Excluding food stores, individual establishments shall not exceed 15,000 square feet gross floor area.
3. Accessory open air sales/display/storage shall be permitted for horticultural and food merchandise only and shall constitute no more than 5% of the gross building floor area of any individual establishment.
4. No freestanding office structure or group of office structures shall exceed a combined total of 15,000 sq. ft.

E. District Requirements:

1. The Minimum Area for a New Zoning District is 4 Acres.
2. The Maximum Area for a New Zoning District is 12 Acres.
3. NS districts shall be spaced at least one mile from another NS district. [ORD 4071; October 1999]
4. NS districts shall be located on arterial or major collector streets, preferably at the intersections of such streets, unless traffic studies show that a non-intersection location is or can be made conveniently accessible, safe, and compatible with the surrounding neighborhood.

[ORD 3975, February 1997]

20.10.25. Office Commercial Districts: OC

1. **Purpose.** The Office Commercial or "OC" District is intended for a mixing of professional offices and other compatible commercial purposes with medium and high density residential uses.
2. **District Standards and Uses.** OC Districts and uses shall comply with the following:

A. Permitted Uses:

Unless otherwise prohibited or subject to a conditional use, the following uses and their accessory uses are permitted:

1. Office uses engaged in providing services to the general public: e.g., medical, real estate, insurance; and similar services as approved by the Director. When an interpretation is discretionary, notice shall be provided in accordance with Section 50.40. (ORD 3739)
2. Detached or attached dwellings, provided, however, that only 50% of the contiguous area within any office commercial zone may be developed residentially. (ORD 3688) [ORD 4224; August 2002]
3. Educational institutions which do not abut a residential zone. This type of use includes public, private, or parochial academic schools, colleges, universities, vocational and trade schools. (ORD 3622)
4. Residential Care Facilities. [ORD 4036; March 1999]
5. Accessory Dwelling Units (See also Special Use Regulations Section, Accessory Dwelling Units, 60.50.03). [ORD 4048; June 1999]
6. Financial Institutions. [ORD 4111; June 2000]
7. Collocation of wireless communication facilities on an existing wireless communication facility tower [ORD 4248; April 2003]

20.10.25.2.A.

8. Installation of wireless communication facilities on streetlights, excluding streetlights on power poles, traffic signal lights, and high voltage power utility poles within public road rights-of-way [ORD 4248; April 2003]
9. Attachment or incorporation of wireless communication facilities to existing or new buildings or structures that are not exclusively used for single-family residential or multi-family residential purposes [ORD 4248; April 2003]
10. Temporary wireless communication facilities structures (See also Temporary Structures – Section 40.80) [ORD 4248; April 2003]
11. Installation of one (1) replacement wireless communication facility tower on a parent parcel containing an existing tower supporting one (1) carrier for the purpose of providing collocation opportunity consistent with previous land use approvals [ORD 4248; April 2003]
12. Up to and including two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]

B. Conditional Uses: (Subject to Section 40.15 or Section 40.96 as applicable)

The following uses and their accessory uses may be permitted subject to the approval of a Conditional Use (CU):

1. Eating or drinking establishments
2. Rental businesses
3. Educational institutions which abut a residential zone. This type of use includes public, private, or parochial academic schools, colleges, universities, vocational and trade schools. (ORD 3622)
4. Construction of a wireless communication facility tower [ORD 4248; April 2003]

20.10.25.2.B.

5. More than two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]
6. Direct-to-home satellite service having antennas greater than one (1) meter in diameter [ORD 4248; April 2003]

C. Prohibited Uses:

1. Retail businesses
2. Temporary Living Quarters
3. Taverns, bars or other uses that principally sell alcoholic beverages.
4. Mobile home parks and subdivisions. (ORD 3739)
5. Automotive Services, Major
6. Automotive Services, Minor
7. Attachment of a wireless communication facility to existing or new non-residential buildings that does not utilize stealth design [ORD 4248; April 2003]

D. Use Restrictions:

1. Conditional Uses shall be subject to the condition that the activity is conducted wholly within an enclosed structure, with the exception of outside play or activity areas related to educational institutions. (ORD 3622)

E. District Requirements:

1. The Minimum Area for a New Zoning District is 2 Acres.
2. There is no Maximum Area for a new Zoning District.

[ORD 3975, February 1997]

Commercial: Site Development

20.10.50. Site Development Requirements.

	<u>NS</u>	<u>GC</u>	<u>CS</u>	<u>CV</u>	<u>OC</u>
1. Minimum Lot Area: (in Square Feet)	7,000	7,000	7,000	7,000	7,000
2. Minimum Lot Dimensions: (in feet)					
A. Width	70	70	70	70	70
B. Depth	100	100	100	100	100
3. Minimum Yard Setbacks: (in feet)					
A. Front	20	20	20	20	20
B. Side					
1. Interior	10	10	10	10	10
2. Corner Lot	20	20	20	20	20
C. Rear (only if next to a residential zone)	20	20	20	20	20

[ORD 4075; November 1999] [ORD 4265; September 2003]

- D. Reduction to setback standards. Under conditions outlined in Section 40.30, applications may be made for zero side yard setbacks. (ORD 3494)

4. Maximum Building Height:
(in feet)

[ORD 4075; November 1999]	<u>NS</u>	<u>GC</u>	<u>CS</u>	<u>CV</u>	<u>OC</u>
A. Maximum Height	25	35	35	30	30

[ORD 4224; August 2002] [ORD 4265; September 2003]

- B. The maximum height for wireless communication facilities inclusive of antennas in all commercial zoning districts shall be one hundred (100) feet. The maximum height for at-grade equipment shelters for wireless communication facilities in all commercial zoning districts shall be twelve (12) feet. [ORD 4248; April 2003]

20.10.55. Supplemental Development Requirements [ORD 4224; August 2002]

In addition to the site development requirements listed in Section 20.10.50, development in commercial zoning districts shall be subject to the following supplemental development requirements:

1. **Extension of Facilities.** [ORD 4061, September 1999] To provide for orderly development of the adjoining property or to provide an adequate grid of the City system, the City Engineer or designee shall require extension of water lines, sanitary and storm sewer lines through applicant's property to the property line of the adjoining or abutting property. Extension of streets shall conform to the requirements of Section 60.55 Transportation Facilities. Facilities required in accordance with this section shall be consistent with the acknowledged Comprehensive Plan. Where physical or topographic conditions make the extension of a facility or facilities impracticable, the City Engineer or designee may require a cash payment to the City in lieu of the extension of the facility or facilities, the amount of which shall be equal to the estimated cost of the extension(s) under more suitable conditions.
2. **Open Air Display:** Where permitted, open air sales/display/storage of merchandise shall be setback at least 20 feet from the front property line. The area shall be designated and subject to Board of Design Review approval.

[ORD 4332; November 2004]

20.10.60 Method for Calculating Minimum Residential Density [ORD 4046; May 1999]

New residential development in the CS, GC, and OC zoning districts must comply with the minimum density calculated below. Attached dwellings must calculate minimum density using 1,000 square feet as the minimum land area per dwelling unit in step 2 below. Detached dwellings must calculate minimum density using 4,000 square feet as the minimum land area per dwelling unit in step 2 below. Projects proposed at less than the minimum density must demonstrate on a site plan or other means how, in all aspects, future intensification of the site to the minimum density or greater can be achieved without an adjustment or a variance. [ORD 4071; October 1999] If meeting the minimum density will require the submission and approval of an adjustment or variance application(s) above and beyond application(s) for adding new primary dwellings or land division of property, meeting minimum density shall not be required. [ORD 4111; June 2000] [ORD 4224; August 2002] [ORD 4265; September 2003]

20.10.60.

For the purposes of this section, new residential development shall mean intensification of the site by adding new primary dwelling(s) or land division of the property. New residential development is not intended to refer to additions to existing structures, rehabilitation, renovation, remodeling, or other building modifications or reconstruction of existing structures. [ORD 4224; August 2002]

Minimum residential density is calculated as follows: [ORD 4224; August 2002]

1. Refer to the definition of Acreage, Net. Multiply the net acreage by 0.80.
2. Divide the resulting number in step 1 by the minimum land area required per dwelling of the applicable zoning district to determine the minimum number of dwellings that must be built on the site.
3. If the resulting number in step 2 is not a whole number, the number is rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number.

